

REMARKS

Consideration of the amendments and remarks presented herein is respectfully requested. This Amendment is timely filed.

I. STATUS OF THE CLAIMS

Claims 1, 3, 6, 8-50, 53-199, 201-223, 227-228, 231-233, 238, 241, 245 and 246 are cancelled.

Claims 2, 4, 5, 7, 51, 52, 200, 224-226, 229, 230, 234-237, 239, 240, 242, 243, 244 are pending.

Applicant reserves the right to pursue at a later date in one or more continuing applications subject matter supported by the present disclosure, including subject matter which may be considered to be disclaimed herein.

II. AMENDMENTS

The current claims have been amended to depend, either directly or indirectly, from claim 224. In the outstanding Office action, Claim 224 was indicated to be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Amendments to particular claims are to conform to the language of claim 224, and to provide proper antecedent basis for recited terms.

Claim 236 has been amended to clarify the intended meaning of the chemical abbreviation, DTPH.

No new matter has been added to the claims by virtue of the amendments presented herein.

III. REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claim 236 stand rejection under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

Applicant regards as the invention. Specifically, the Examiner has asserted that the recitation of the term, "DTPH" in the claim renders the claim indefinite.

In response, claim 236 has been amended to describe with more particularity the meaning of the abbreviation, DTPH, in accordance with the teachings of the specification. In view of the amendment to claim 236, it is submitted that the rejection of claim 236 has been overcome. Withdrawal of the rejection of claim 236 under 35 U.S.C. §112, second paragraph is therefore respectfully requested.

IV. REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claims 1-10, 24, 25, 51-53, 200, 227, 228, 239, 240, and 242-244 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement.

In view of Applicant's amendments to the claims, it is submitted that the foregoing rejection has been rendered moot. Withdrawal of the rejection of the claims under 35 U.S.C. §112, first paragraph is respectfully requested.

V. REJECTIONS UNDER 35 U.S.C. §103

Claims 1, 7-10, 24, 25, 53, 200, 227, 228, 239, 240, and 242-244 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Publication No. 2003/0087877 A1 (Calias et al) in view of U.S. Patent No. 5,874,417 (Prestwich et al).

In view of the Applicant's amendments to the claims, it is submitted that the foregoing rejection has similarly been rendered moot. The Applicant has, in the interest of arriving at patentable subject matter in the instant application in an expedient fashion, amended the claims to conform with language indicated by the Examiner to be allowable. (As stated above, Applicant reserves the right to pursue at a later date in one or more continuing applications subject matter supported by the present disclosure, including subject matter which may be considered to be disclaimed herein). In view of

the foregoing, withdrawal of the rejection of the claims under 35 U.S.C. §103 is respectfully requested.

VI. CONCLUSION

In view of the foregoing, Applicant respectfully submits the amended claims are now in condition for allowance and comply with the standards of patentability. Withdrawal of the outstanding rejections is respectfully requested, and issuance of a Notice of Allowance is therefore earnestly solicited.

If a telephone conference would expedite the prosecution of the subject application, the Examiner is requested to call the undersigned at (650) 590-1918.

Respectfully submitted,
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Date: November 22, 2010

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